

the public until they have an opportunity to go to court and to be convicted or cleared. What you are adopting in section 21, if you leave it in the bill, as I understand it, is that as soon as you are arrested for any thing, whether you are guilty or innocent, that name will be published, that name will be used, that name could be used by your neighbors or by anybody that disagrees with you or what you might be and what you might do. I would hope that if that is the truth and if this is a correct understanding of section 21 that you would back my amendment to move it back to E & R and strike section 21 so that it takes conviction instead of arrest to have your name published, and I think if you would look back at this, I believe there was a time, I wasn't here, but I think you had about 24 votes to get rid of this or to change this section and I would hope that you would consider it this morning again and let's not make criminals out of everybody just by charging them with some kind of a crime. Let's wait until they are proven guilty. That is the way the system is supposed to work. I would hope that you would adopt the amendment, the motion.

SENATOR MARVEL: Senator Murphy, I will caution you in one regard, and I am following the Speaker's precedence here. This is not debatable. Do you want to ask Senator Barnett a question, Senator Murphy?

SENATOR MURPHY: I would like to ask the Chair a question. Senator Barnett has spoken precisely to the amendment that Senator Simon offered and it is specifically a reconsideration. Now he has mentioned no other thing in that and I don't think calling a rose a gardenia changes the fact that it is, in fact, reconsideration. Not one word related to anything other than the specific amendment that Senator Simon denies this is, and accordingly, I say, that is reconsideration and out of order.

SENATOR MARVEL: Sir.

SENATOR BARNETT: My point of order is that I did not speak to amending anything. I have spoke to striking a complete section.

SENATOR MARVEL: The Chair has ruled you in order. Senator Murphy has made his point.

SENATOR MURPHY: May I ask a further question, then, Mr. Chairman?

SENATOR MARVEL: Yes, sir.

SENATOR MURPHY: If this amendment is adopted, Senator Barnett, have you not sealed all court records, all criminal justice records by sealing this? This is the section that says criminal records shall be a matter of public record, and by so doing in this artificial attempt to reconsider, you are sealing all court records irregardless.

SENATOR BARNETT: That includes the arrest record, doesn't it?

SENATOR MURPHY: That would include everything, whatsoever, and I think that would be most unfortunate.